

# Did you File For Divorce and Your Spouse Did Not Respond? “Default”

## **HOW TO:**

- Finish a divorce when your spouse did not respond to your petition and you do not have children with the spouse.

## **WHEN TO USE:**

- 30 days after you served the divorce paperwork on your spouse

## **Important:**

- Even if you are requesting a default or you think you don't own anything, you still have to complete and give your spouse your income and expense and asset information (Declaration of Disclosure). If you need these forms, please ask a Self-Service Center staff person.
- If you have children, retirement plan or a home, please ask a Self-Service staff person to help you or refer you for help.

*Self Service Center  
Superior Court, County of Santa Clara  
99 Notre Dame Avenue  
San Jose, CA 95113  
408.882.2900 x-2926*

[www.scsselfservice.org](http://www.scsselfservice.org)  
Santa Clara County  
Self-Help website

[www.sccsuperiorcourt.org](http://www.sccsuperiorcourt.org)  
Santa Clara County  
General website

[www.courtinfo.ca.gov/selfhelp](http://www.courtinfo.ca.gov/selfhelp)  
State of California  
Self-Help website

# INSTRUCTIONS

**A. Fill out the attached blank forms** (type or print neatly in blue or black ink) using the attached sample forms as a guide:

- **Request to Enter Default** (form #FL-165)
- **Property Declaration** (form #FL-160)
- **Financial Statement** (form #FL-155)

**B. How to File Your Papers:**

Follow these easy steps *in order* from, from 1 to 3:

1. Make **2 copies** of your completed Request to Enter Default, two Property Declarations (1 for separate property and one for community property) and Financial Statement.
2. Bring the original and copies of the Request to Enter Default, Property Declarations, Financial Statement, and one stamped envelope with your address and one stamped envelope with your spouse's address (or last known address) to the Clerk's Office at 170 Park Center Plaza. File all these forms in the Clerk's Office, which is located in the basement.
3. Wait for the Clerk to send you a copy of the Request to Enter Default in the mail. Then look near the bottom of the page.

If the box "Default NOT entered," is checked please come to the Self Service Center for help fixing the problem.

If the clerk has checked the box "Default entered as requested," then the default has been entered, Congratulations! - you are now ready for the FINAL STEP! Visit the Self-Service Center/ Facilitator's Office, a legal services provider or a private attorney for help filling out the final Judgment forms.